

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHARLES MCEWEN,
Plaintiff,

v.

GRANITE ROCK COMPANY,
Defendant.

Case No. [5:21-cv-04982-EJD](#)

CASE MANAGEMENT ORDER

This case is scheduled for a Case Management Conference on September 30, 2021. Based on the parties' Joint Case Management Statement and proposed schedule, the Court has determined an appearance is unnecessary at this time. Accordingly, the Case Management Conference is VACATED and the parties are ordered to comply with the following schedule.

IT IS HEREBY ORDERED that the Court adopts the parties' statement of disputed factual and legal issues as set forth in the Case Management Statement.

IT IS FURTHER ORDERED that the deadline for joinder of any additional parties, or other amendments to the pleadings, is **December 31, 2021**. The parties are instructed to comply with Federal Rule of Civil Procedure 15 in seeking joinder of parties or amendments to the pleadings prior to expiration of the deadline. Amendments sought after the deadline must comply with Federal Rule of Civil Procedure 16.

IT IS FURTHER ORDERED that the parties shall comply with the presumptive limits on discovery set forth in the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that any disputes with respect to discovery or disclosure are referred to the assigned Magistrate Judge.

IT IS FURTHER ORDERED that the parties shall meet and confer further in order to

reach an agreement on an ADR process within 10 days of the date of this Order. Within that same timeframe, the parties shall either (1) file the form entitled “Stipulation and (Proposed) order Selecting ADR Process” if an agreement is reached, or (2) file the form entitled “Notice of Need for ADR Phone Conference.”

IT IS FURTHER ORDERED that the following schedule shall apply to this case:

EVENT	DEADLINE
Joint Trial Setting Conference Statement (see Section III(C)(2) of Standing Order for Civil Cases)	April 18, 2022
Trial Setting Conference (see Section III(C)(1) of Standing Order for Civil Cases)	11:00 a.m. on April 28, 2022
Fact Discovery Cutoff	May 31, 2022
Designation of Opening Experts with Reports	June 28, 2022
Designation of Rebuttal Experts with Reports	July 12, 2022
Expert Discovery Cutoff	July 31, 2022
Deadline(s) for Filing Discovery Motions	<u>See</u> Civil Local Rule 37-3
Deadline for Filing Dispositive Motions ¹ (see Section IV and V of Standing Order for Civil Cases)	September 12, 2022
Hearing on Anticipated Dispositive Motion(s)	9:00 a.m. on November 3, 2022

IT IS FURTHER ORDERED that the parties shall comply with the Standing Order for Civil Cases, a copy of which is available from the Clerk of the Court,² with regard to the timing and content of the Joint Trial Setting Conference Statement and all other pretrial submissions.

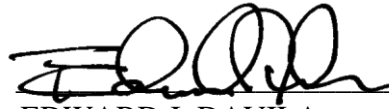
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¹ This is the last date for *filing* dispositive motions. The actual hearing on the motion may be noticed for a date subsequent after contacting Judge Davila’s courtroom deputy.

² A copy of Judge Davila’s Standing Order is also available on the Court’s website at www.cand.uscourts.gov by clicking first on the “Judges” button, then on Judge Davila’s name, then on the link for “Judge Davila’s Standing Orders,” and finally on the link for “Standing Order for Civil Cases.”

IT IS SO ORDERED.

Dated: September 23, 2021



EDWARD J. DAVILA
United States District Judge